

Town Board Minutes

March 7, 2016

Meeting No. 5

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 7th day of March 2016 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
DAWN GACZEWSKI, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
MATTHEW WALTER, COUNCIL MEMBER
JOHANNA COLEMAN, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

EXECUTIVE SESSION:

AT 8:20 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing a contractual matter.

At 8:48 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, spoke to the Town Board on the following matters:

- Questions about Millgrove Volunteer Fire Department ladder truck purchase.
- Comments regarding garbage totes and rats in his neighborhood.

Chowaniec, Lee, spoke to the Town Board on the following matters:

- Questions about the Police Department special use vehicle.
- Comments regarding the Town website.
- Praised Mr. Maddock's letter to the Town Board.
- Refutes need for garbage totes for Town homeowners.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Asked about the change order for the Highway Pre-Engineered Building.
- Questioned the cost of the Department of Parks, Recreation & Forestry lawnmower purchase.
- Comments regarding retiree compensation.
- Suggestions for Court appointed community service to maintain Lancaster Rural Cemetery.
- Comments about adding stripes to the new Lancaster Library parking lot.
- Asked for an update on Highway Pre-Engineered building completion.

Galczynski, Martin, spoke to the Town Board on the following matters:

- Comments regarding garbage in Wal-Mart buffer zone.
- Asked about Town Code restrictions prohibiting overnight parking at Wal-Mart.

Hangauer, Carmen, spoke to the Town Board on the following matters:

- Asked what the new Senior Center employee's position entails.
- Questions regarding retiree compensation.

Kazmierczak, Tom, spoke to the Town Board on the following matters:

- Comments regarding personal responsibility with garbage & recycling matters.
- Praised Code Enforcement for issuing garbage code violation notices.
- Informed Board about recurring telephone scams.

Maddock, Frank, spoke to the Town Board on the following matters:

- Comments regarding funding for Lancaster Rural Cemetery.
- Comments about Lancaster Library parking lot.
- Comments regarding garbage totes.
- Expressed disappointment regarding comments about Lancaster in the Buffalo News.

Nosbisch, Paul, Jr., spoke to the Town Board on the following matter:

- Thanked Town Board for supporting the Lancaster Rural Cemetery.

Welker, Paul, spoke to the Town Board on the following matters:

- Comments regarding garbage totes and the corresponding Buffalo News article.
- Praised the Town of Lancaster departments.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO INTO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held February 16, 2016 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 43298 to Claim No. 43517 Inclusive

Total amount hereby authorized to be paid: \$ 3,120,145.91

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016
File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:
(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

| Pmt # | SW | Applicant Name | Address | STRUCTURE | Village |
|-------|----|---------------------------|----------------------|---------------------|---------|
| 24916 | | Iroquois Fence Inc. | 11 Jonquille Ct | Er. Fence | |
| 24917 | | Fairways at Lancaster LLC | 5360 Genesee St | Er. Comm. Add./Alt. | |
| 24918 | | Cambria Contracting Inc. | 48 Freeman Dr | Dem. Comm. Bldg. | |
| 24919 | | Pleasant Meadow Assoc LLC | 337 Pleasant View Dr | Er. Dwlg.-Sin. | |
| 24920 | | Debra M. Oberg | 70 Holland Ave | Re-Roof | (V/L) |
| 24921 | | Brian & Pamela Hallstrom | 23 Worthington Ln | Er. Res. Alt. | |
| 24922 | | David Kerchoff | 37 Shadyside Ln | Er. Fence | |
| 24923 | | Brandon & Lisa Suchan | 1337 Ransom Rd | Er. Garage | |
| 24924 | | Brandon & Lisa Suchan | 1337 Ransom Rd | Er. Res. Alt. | |
| 24925 | | Equity Trust Company | 58 Fifth Ave | Er. Res. Alt. | (V/L) |
| 24926 | | Marrano/Marc Equity Corp. | 20 Magrum Ln | Er. Dwlg.-Sin. | |
| 24927 | | William C. Rott | 25 Maple Ave | Re-Roof | (V/L) |
| 24928 | | Ken's Candy | 4779 Transit Rd | Er. Sign - Temp | |
| 24929 | | Ken's Candy | 6363 Transit Rd | Er. Sign - Temp | |
| 24930 | | Ken's Candy | 6733 Transit Rd | Er. Sign - Temp | |
| 24931 | | William C. Rott | 70 Wayne St | Re-Roof | (V/L) |
| 24932 | | Fairway Hills Development | 19 Crabapple Ln | Er. Dwlg.-Sin. | |
| 24933 | | Lekanka Enterprises Inc. | 4711 Transit Rd | Er. Comm. Add./Alt. | |
| 24934 | | Schiappa Enterprises LLC | 6 Donna Lea Dr | Re-Roof | |
| 24935 | | Cocoon Development LLC | 375 Harris Hill Rd | Er. Comm. Bldg. | |

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, A Public Hearing was held on February 16, 2016, on the petition of the Millgrove Volunteer Fire Department, Inc., for the consent of the Town Board of the Town of Lancaster of the proposed issuance by the Millgrove Volunteer Fire Department, Inc., of an obligation to Alden State Bank, for the purchase of ONE (1) 2004 PIERCE LADDER TRUCK, and

WHEREAS, it is the desire of the Millgrove Volunteer Fire Department, Inc., to have such obligation treated as a bond of a political subdivision of a state pursuant to the provisions 26 USCS Sec. 150 (e), and

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Lancaster that the issuance by the Millgrove Volunteer Fire Department, Inc., to execute the borrowing certificate and enter into a loan agreement with Alden State Bank for purchase of one (1) 2004 PIERCE LADDER TRUCK, in the maximum amount of \$350,000.00, to be used to service the residents of the Towns of Alden and Lancaster, is hereby approved for treatment as a bond of a political subdivision of the State pursuant to the provisions of 26 USCS 147(f) and 26 USCS 150(e).

The question of adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, Daniel Amatura, by letter dated February 17, 2016, has recommended the appointment of Darlene Humphrey of Lancaster, New York to the position of Clerk, part-time permanent, retroactive to February 23, 2016, in the Highway Department, and

WHEREAS, this position has been budgeted for in the Town of Lancaster Highway Department budget for 2016.

NOW, THEREFORE, BE IT

RESOLVED, that Darlene Humphrey is hereby appointed to the part-time permanent Clerk position in the Highway Department’s Office, working not more than nineteen and three-quarter hours per week, with a pay rate per hour of \$12.00, and that this being a part-time position, provides no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, a Public Hearing was held on the 16th day of February, 2016 the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the Code of the of Lancaster and persons for and against such amendments have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted;

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on March 7, 2016;
3. That a Certified Copy thereof be published in the Lancaster Bee on March 10, 2016;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

ARTICLE IX – Speed Regulations

§ 46-9 Maximum speed limits

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F. A speed limit of 40 miles per hour shall be posted on the following designated highways:

.

(7) Gunnville Road, for northbound and southbound traffic between
Genesee Street and the Clarence Town line.

March 10, 2016

STATE OF NEW YORK :
COUNTY OF ERIE : SS:
TOWN OF LANCASTER:

THIS IS TO CERTIFY that **I, DIANE M. TERRANOVA**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 7TH day of March 2016, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 7th day of March, 2016.

Diane M. Terranova, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, in 1935, a group of safety minded individuals in Western New York joined together to discuss the importance of safety education to both employees and management and, after several meetings, these crusaders organized the Western New York Safety Conference; and

WHEREAS, it was their aim to supply information, techniques, and basic administrative assistance to employees, supervisors, and managers through an annual conference and exhibit in an effort to reduce the number of injuries in the workplace; and

WHEREAS, the safety group conducted their first conference and exhibit in the spring of 1936 and are continuing to hold conferences and exhibits annually; and

WHEREAS, this conference is attended by some 500 delegates each year and is the largest gathering of safety-oriented and interested people in the Eastern United States; and

WHEREAS, the Western New York Safety Conference, Inc., which is Celebrating its 80th Anniversary in 2016, is an independent, non-profit organization dedicated to the conservation of human lives and the safety and health of the individual through the prevention of accidents and occupational diseases; and

WHEREAS, the 80th Annual safety Conference and Exhibit will be held at the Seneca Event Center, Niagara Falls, NY on April 4th, 5th, 6th, and 7th, 2016

NOW, THEREFORE, BE IT RESOLVED, that the period of April 4-7, 2016 is “SAFETY WEEK” in the Town of Lancaster and urge all my fellow citizens to support the conference’s many safety objectives during these special days and throughout the year.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|---------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZJEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated February 22, 2016, has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

| <u>NAME</u> | <u>POSITION</u> | <u>PAY RATE PER HOUR</u> | <u>EFFECTIVE DATE</u> |
|------------------------------|-----------------|------------------------------|---------------------------|
| John Zlotek Lancaster, NY | Laborer | \$12.00 | March 8, 2016 |

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, Town of Lancaster Police Patrol Captain, Marco Laurienzo, by letter dated February 23, 2016, has requested the Town Board to advertise for bids to furnish **one (1) new 2016 4x4 Special Service Vehicle** for use by the Police Department, and

WHEREAS, the Public Safety Committee of the Town Board has approved such request;

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders and/or Automobile Dealers, in form attached hereto and made a part hereof, be published in an official newspaper of general circulation and posted according to Law, that the Town will receive bids up to 10:00 o'clock A.M. Local Time, on March 18, 2016 at the Town Hall, 21 Central Avenue, Lancaster, New York, for the furnishing of one (1) new 2016 4x4 Special Service Vehicle for use by the Police Department of the Town of Lancaster, in accordance with specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS
AUTOMOBILE DEALERS**

NOTICE IS HEREBY GIVEN that sealed bids and/or proposals will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 A.M., Local Time, on the 18th day of March 2016, for furnishing one (1) new 2016 4x4 Special Service Vehicle for use by the Police Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in the amount of One Thousand Dollars (\$1,000.00) payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Town reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: DIANE M. TERRANOVA
Town Clerk**

March 10, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER WALTER, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Wm. Schutt Associates, P.C., the Town of Lancaster’s consulting engineer, has requested that the Town Board authorize an invitation to bid for the Lancaster Public Library Parking Lot Expansion Project on School Street, within the Town of Lancaster, and

WHEREAS, the Town Board has given due review and consideration to the request and deems it in the public interest to invite public bids in conformance with General Municipal Law Section 103 of the State of New York;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bids for the Lancaster Public Library Parking Lot Expansion Project; said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 and to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on March 30, 2016 and opened thereafter.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

NOTICE TO BIDDERS

FOR THE

TOWN OF LANCASTER LANCASTER PUBLIC LIBRARY PARKING LOT EXPANSION

Sealed bids for the proposed improvements at the Town's Public Library for expansion of the parking lot will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on March 30, 2016, at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the ENGINEER, Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

Contract Documents may be obtained at the office of the ENGINEER upon deposit of \$50.00 per set [two (2) checks of \$25.00 each payable to the ENGINEER]. If requested in writing, the ENGINEER will mail the Contract Documents to those wishing to obtain a set upon receipt of the \$50.00 deposit plus a non-refundable mailing charge of \$25.00 per set, made payable to the ENGINEER. Bidders will receive a refund of the entire deposit upon returning plans and specifications in good condition within thirty (30) days of the bid award; non-bidders will be refunded one-half of the deposit upon the return of such plans and specifications in good condition within the thirty (30) days following the award of the Contract.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the Town of Lancaster, for a sum equal to five percentum (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percentum (5%) of such total bid amount, conditioned that if the proposal is accepted, that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

All bid deposits except that of the successful bidder will be returned.

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Contract Documents, or fails to give the further security prescribed in this Notice, with the same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids.

Consulting Engineers:
William Schutt & Associates, P.C.
37 Central Avenue
Lancaster, NY 14086-2143
(716) 683-5961
Date: March 10, 2016

By the Order of the Town Board of
Lancaster, Erie County, New York

Diane Terranova
Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Tricorp Amusements, Inc., 5 Veronica Lane, Somerset, New Jersey, has applied for a license to operate and maintain a Game Room on premises of the Regal 16 Cinemas at 6707 Transit Road, within the Town of Lancaster, pursuant to Chapter 17 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Chief of Police for review and recommendation, and

WHEREAS, the Building Inspector and Chief of Police have completed their review and made a formal, favorable recommendation to the Town Board on the issuance of this license.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to issue a license to Tricorp Amusements, Inc., 5 Veronica Avenue, Somerset, New Jersey to operate and maintain a Game Room on premises of the Regal 16 Cinemas at 6707 Transit Road, Lancaster, New York, and

BE IT FURTHER

RESOLVED, that said license shall be issued for the **one (1) year period of April 1, 2016 to March 31, 2017** in accordance with the application of the petitioner, as filed in the Town Clerk's Office, accompanied with a license fee of \$600 for seven (7) amusement devices.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

File: RLICENSE (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, RJF Development, 4430 Walden Avenue, Lancaster, New York 14086 has applied to the Town Board of the Town of Lancaster for permits for Public Improvements upon real property in the Town of Lancaster within Cross Creek Subdivision, Phase VII, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application Nos. 748, 749, 750 and 751 of RJF Development, 4430 Walden Avenue, Lancaster, New York 14086 which are permits for Public Improvements for the installation of:

| | |
|------------------------------------|--|
| P.I.P. No. 748 (Sidewalk) | The Cross Creek Subdivision, Phase VII, Install sidewalk along Tranquility Trail, both sides, ± 33+50 to ± 34+75. |
| P.I.P. No.749 (Pavement & Curb) | The Cross Creek Subdivision, Phase VII, Tranquility Trail, Install 32±50 – 37 + 38.47 & Weathersfield Lane 2+10 - 13+50. 3,200 LF of 20” curb with underdrain and 45,000 SF of 12", 4", 2½", 1½" Town Road Pavement. |
| P.I.P. No. 750 (Water Line) | The Cross Creek Subdivision, Phase VII, Install ± 1,200 LF of 8" & ± 500 LF of 10" waterline, 2 Fire Hydrants, and 2, 10" & 1, 8" gate valves. |
| P.I.P. No. 751 (Storm Sewer) | The Cross Creek Subdivision, Phase VII, Install 5,250 LF of Storm Sewer sizes 8" -24" 13 Manholes, 7 road DI’s, 10 light duty DI’s & 14 back yard receivers. |

be and are hereby authorized.

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster agrees to commit to pay the Erie County Water Authority’s annual fire hydrant maintenance fee for two (2) fire hydrants within Cross Creek Subdivision, Phase VII, once the hydrant is installed, tested, approved and placed in service.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated February 20, 2016 has requested the purchase of **one (1) new and unused 2016 T750 T4 Bobcat Compact Track Loader** for the use of the Highway Department, and

WHEREAS, this loader is available under New York State Bid Contract PC67141, Group No. 40625 Award PGB No. 22792, from authorized State Vendor Bobcat of Buffalo, for a cost of \$64,958.97, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, the Highway Department will receive a trade-in allowance for their 2012 Bobcat T650 Serial #A3P013602 (386 hours) in the amount of \$39,500.00 which will bring the total expenditure for the new loader to \$25,458.97

WHEREAS, the Town Board deems it in the public interest to approve the purchase of the **2016 T750 T4 Bobcat Compact Track Loader** from Bobcat of Buffalo;

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new and unused 2016 T750 T4 Bobcat Compact Track Loader** from the 2016 authorized state bid vendor Bobcat of Buffalo, 6511 South Transit Road, Lockport, New York 14094 under State Bid Contract PC67141, Group No. 40625 Award PGB No. 22792, as proposed by the Superintendent of Highways of the Town of Lancaster in the sum not to exceed \$25,458.97 which sum shall be paid with funds from the Bond authorized on May 18, 2015 for Highway Equipment.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Johanna M. Coleman, Supervisor for the Town of Lancaster, by letter dated February 29, 2016, has recommended the appointment of Cindy Stypa to the position of Clerk Typist in the Town of Lancaster Supervisor’s Office, and

WHEREAS, Cindy Stypa qualifies for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

NOW, THEREFORE, BE IT

RESOLVED, that Cindy Stypa of Lancaster, New York, be and is hereby appointed to the position of Clerk Typist in the Town of Lancaster Supervisor’s Office, effective March 14, 2016 at an annual salary of \$34,949.00, on step, which represents 85% of the full salary of \$41,117.00, with full benefits in accordance with the current White Collar Agreement of the Town of Lancaster, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Town of Lancaster’s Park Crew Chief, Mark Lubera, of the Department of Parks, Recreation and Forestry of the Town of Lancaster by letter dated February 22, 2016 has requested the purchase of **one (1) new and unused Jacobsen Tier 4 R311T Lawnmower** for use by the Parks, Recreation and Forestry Department, and

WHEREAS, the above-referenced **Lawnmower** is available from the New York State Contract No. PC67073, Award No. PGB 22792, Group No. 40625-Heavy Equipment, Piggyback Contract of National Joint Powers Alliance and the Cooperative Purchasing Network through authorized State Vendor MTE Turf Equipment Solutions, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of one (1) new and unused **Jacobsen Tier 4 R311T Lawnmower**;

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new and unused Jacobsen Tier 4 R311T Lawnmower** from the 2016 authorized New York State Vendor, MTE Turf Equipment Solutions, 33 Thruway Park Drive, West Henrietta, New York 14586 under New York State Contract No. NY PC67073, Award No. PGB 22792, Group No. 40625-Heavy Equipment as proposed by Park Crew Chief, Mark Lubera for an amount not to exceed the state contract price of \$61,345.37; this sum will be paid from the Parks, Recreation and Forestry Department’s May 18, 2015 Vehicle and Equipment Acquisition Bond.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, the Recreation Leader of the Town of Lancaster Senior Center, by letter dated February 26, 2016, has recommended the appointment of one (1) individual to the position of Recreation Attendant part-time permanent at the Senior Center, working not more than nineteen and three-quarter hours per week.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual be and is hereby appointed to the position of Recreation Attendant part-time permanent at the Town of Lancaster Senior Center, working not more than nineteen and three-quarter hours per week, effective March 8, 2016 and that this being a part-time position, provides no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees:

| <u>NAME</u> | <u>PAY RATE/HR.</u> |
|------------------------------|---------------------|
| Donna Heist Lancaster, NY | \$ 12.00 |

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Lancaster Rural Cemetery Association is seeking contribution for its operating expenses from the Town of Lancaster, and

WHEREAS, the Town Board previously reviewed this matter and has discovered that in the event that this not-for-profit organization ceases to exist, the Town of Lancaster would become responsible for the maintenance and upkeep of said cemetery pursuant to Town Law, which would place a significant financial burden on town taxpayers, and

WHEREAS, said funding was approved in the adopted 2016 Town of Lancaster budget in the sum of fifteen-thousand dollars (\$15,000.00), and

WHEREAS, the Town Board deems it in the public interest to provide financial assistance to the Lancaster Rural Cemetery Association so that this not-for-profit organization can continue to operate and maintain the Lancaster Rural Cemetery without this obligation falling to the Town, and

**NOW, THEREFORE, BE IT
RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to provide the sum of fifteen-thousand dollars (\$15,000.00) to the Lancaster Rural Cemetery Association for its continued operation and maintenance of the before-mentioned cemetery, with said funds being provided in the adopted 2016 Town of Lancaster budget (line # A8810.449).

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, in 2010 the Town of Lancaster created the Heritage Trail Bike Path which runs from Walter Winter Road to Town Line Road, with year round hours of operation from dawn to dusk and is maintained by the Town’s Parks and Recreation Department, and

WHEREAS, Town resident, Robert S. Simcoe, is a volunteer with the Buffalo Zoo’s FrogWatch USA Chapter and has requested permission to collect research for this organization for two hours after dusk from a location within the Heritage Trail.

WHEREAS, by letter dated February 9, 2016, Parks Crew Chief, Mark Lubera has recommended granting Mr. Simcoe’s request to help promote use of the bike path and encourage wildlife conservation, and

WHEREAS, after due review and consideration, the Town Board of the Town of Lancaster deems it in public interest to grant Mr. Simcoe’s request upon.

NOW THEREFORE

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby grants permission to Mr. Robert S. Simcoe to access the Heritage Trail Bike Path, located from Walter Winter Road to Town Line Road in the Town of Lancaster, for not more than two (2) hours after dusk to gather research information for the Buffalo Zoo’s FrogWatch USA Chapter.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Recreation Leader of the Town of Lancaster Senior Center, by letter dated February 29, 2016, has recommended the appointment of Mary Beth Gianni of Lancaster, New York to the position of Recreation Attendant, part-time permanent in the Senior Center, working not more than nineteen and three-quarter hours per week.

NOW, THEREFORE, BE IT

RESOLVED, that Mary Beth Gianni be and is hereby appointed to the position of Recreation Attendant, part-time permanent in the Senior Center at the rate of \$9.00 per hour, effective March 8, 2016 and that this being a part-time position, provides no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town of Lancaster, is interested in updating its current Town website (<http://www.lancasterny.gov/>) as it inadequately reflects the Town’s growth due to its outdated design and communication management, and

WHEREAS, the Town Clerk, has requested three proposals from various website designers to perform and provide professional services for the designing of the Town of Lancaster website, and

WHEREAS, by letter dated February 23, 2016, Town Supervisor, Johanna Coleman, has recommended entering into an agreement with Business Automation Services, Inc., to perform and provide professional services for the designing of the Town of Lancaster’s website as outlined in their proposal for Website Design Services, dated January 27, 2016, for an amount not to exceed \$ \$8,700.00, and

WHEREAS, the above-referenced agreement and proposal have been duly reviewed and considered by the Town Attorney, and

WHEREAS, the Town Board deems it in the public interest to enter into an agreement with Business Automation Services, Inc., to provide the Professional Website Design Services as stated in their proposal.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute on behalf of the Town of Lancaster the Agreement between the Town and Business Automation Services, Inc., 661 Plank Road, Clifton Park, New York, 12065 to provide Professional Website Redesign Services, for the Town of Lancaster’s website (<http://www.lancasterny.gov/>), for an amount not to exceed \$8,700.00. per their Proposal dated January 27, 2016.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, a vacancy exists in the Town of Lancaster Police Department in the position of Police Lieutenant due to the retirement of Lieutenant Mitchel M. Converse, and

WHEREAS, the Chief of Police of the Town of Lancaster, by letter dated March 2, 2016, has recommended the appointment of Police Officer William Gummo to the position of Police Lieutenant, and

WHEREAS, the current competitive civil service list for the position of Police Lieutenant has been duly canvassed by the Chief of Police, and William Gummo qualifies for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby appoints William Gummo to the position of Police Lieutenant for the Town of Lancaster effective March 8, 2016; and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the Cayuga Club Police Benevolent Association and all applicable provisions of law, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take all necessary actions, including with the Personnel Officer of the County of Erie, to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Mark Lubera, Park Crew Chief of the Department of Parks, Recreation and Forestry of the Town of Lancaster by letter dated February 22, 2016 has requested the purchase of **one (1) new 2016 Ford F-350 XL Reg Cab 4x4 Pickup Truck** for use by the Parks, Recreation and Forestry Department, and

WHEREAS, the above-referenced dump truck is available from the Onondaga County Department of Purchasing, Bid No. 2015 7974, Quote #20831, through authorized vehicle dealer Van Bortel Ford, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of a **2016 Ford F-350 XL Reg Cab 4x4 Pickup Truck**;

NOW, THEREFORE, BE IT RESOLVED, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of one (1) **new 2016 Ford F-350 XL Reg Cab 4x4 Pickup Truck** from the 2016 authorized Onondaga County Bid Contractor, Van Bortel Ford, 71 Marsh Road, East Rochester, New York 14445 under Onondaga County Bid No. 2015 7974, Quote #20831, as proposed by the Town of Lancaster’s Park Crew Chief, in the sum not to exceed the contract price of \$30,766.50 which amount shall be paid for with funds available from the Parks, Recreation and Forestry Department’s 2016 Budget line items A7110.220 and A7110.225.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER WALTER, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Mark Lubera, the Town of Lancaster’s Parks Crew Chief, by letter dated February 23, 2016, has requested that the Town authorize the purchase of a new prefabricated 12 x 24 Traditional Dog Kennel with separate housing for four (4) dogs, to be installed at 525 Pavement Road and utilized by the Dog Control Department, and

WHEREAS, the Park Crew Chief obtained three price quotes for the purchase of a new prefabricated 12 x 24 Traditional Dog Kennel in accordance with the Town of Lancaster’s Procurement Policy, and

WHEREAS, the Park Crew Chief has recommended that the purchase be made from Horizon Structures, LLC, 5075 Lower Valley Road, Atglen, PA 19310, being the most responsible bidder, in the amount not to exceed \$12,020.00 per their estimate dated February 11, 2016, and

WHEREAS, funding for the purchase of the new prefabricated 12 x 24 Traditional Dog Kennel is available through the revenue generated from the February 2016, sale of Town owned real property known as the former Town Dog Pound located at 3789 Walden Avenue.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the purchase of the new prefabricated 12 x 24 Traditional Dog Kennel for use by the Dog Control Department from Horizon Structures, LLC, 5075 Lower Valley Road, Atglen, PA 19310 in accordance with their estimate dated February 11, 2016 in the amount not to exceed \$12,020.00 with funds available from the revenue generated from the sale of Town owned real property known as the former Town Dog Pound located at 3789 Walden Avenue, and

BE IT FURTHER

RESOLVED, that the following amendment to the 2016 Adopted Budget be and hereby is authorized:

GENERAL FUND - TOWNWIDE

| | |
|---|-------------------|
| Account A510 Estimated Revenues | \$43,000 Increase |
| Account A2660 Sale of Real Property | \$43,000 Increase |
| Account A960 Appropriations | \$43,000 Increase |
| Account A3510.220 Dog Control, Other Capital Outlay | \$12,020 Increase |
| Account A1990.411 Contingency Account | \$30,980 Increase |

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, MGR Constructors, Inc., P.O. Box 61, Bowmansville, New York 14026, the contractor for the general building system contractor for the Highway Department’s Pre-engineered Building located at 525 Pavement Road has submitted Change Order No. 1 in the amount of \$24,308.00 to the Town Board for their approval, based on additional material and work needed to adjust the garage door size and installation of a waterline along building wall which was provided to the Town Board;

**NOW, THEREFORE, BE IT
RESOLVED,** that the Town Board of the Town of Lancaster hereby approves Change Order No. 1 to **MGR Constructors, Inc. (Contract G),** with respect to the outlined descriptions provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. 1:

Additional compensation for material and work needed to adjust the overhead garage door size and installation of a 1-inch waterline along the south interior building wall.

CHANGE ORDER NO. 1 (CONTRACT G):

| | | |
|---|----|------------|
| The original Contract Sum was | \$ | 625,400.00 |
| The Contract Sum will be increased by this Change Order in the amount of.... | \$ | 24,308.00 |
| The new Contract Sum increased including this Change Order will be | \$ | 649,708.00 |

**BE IT FURTHER
RESOLVED,** that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|--------------------------|-------|-----|
| COUNCIL MEMBER ABRAHAM | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO | VOTED | YES |
| COUNCIL MEMBER WALTER | VOTED | YES |
| SUPERVISOR COLEMAN | VOTED | YES |

March 7, 2016

COMMUNICATIONS & REPORTS

- 102. Mary Kramarchyk, NYSDEC to Supervisor –
Congratulations on being recognized as a Tree City U.S.A. and invitation to participate in the Tenth Annual Recognition Ceremony on March 30, 2016, in Albany, NY. Disposition = Parks & Recreation**
- 103. Erie County Dept. of Environment & Planning to Erie County Community Development Consortium –
Community Development Block Grant Report (Cumulative) – 10/01/15 – 12/31/15. Disposition = Received & Filed**
- 104. Time Warner Cable to Supervisor –
Update regarding developments affecting Time Warner Cable subscribers in Western New York Division. Disposition = Received & Filed**
- 105. James Lenahan to Highway Superintendent –
Dangerous situation at Juniper Blvd. and Walden Ave. due to poor lighting. Disposition = Received & Filed**
- 106. Highway Superintendent to Town Board –
Request for resolution to reappoint Darlene Humphrey to the position of part-time clerk in the Highway Department retroactive to February 23, 2016. Disposition = Resolution 3/7/16**
- 107. Town Clerk to Police Chief and Code Enforcement Officer –
Application for a Game Room License for Regal 16 Cinemas, 6707 Transit Rd. Disposition = Resolution 3/7/16**
- 108. Clara Wroblewski to Town Board –
Letter of resignation from position as Court Clerk effective February 22, 2016. Disposition = Payroll Clerk**
- 109. Town Attorney to Town Board and Planning Board –
SEQR responses from Erie County Dept. of Environment & Planning and Erie County Dept. of Public Works regarding Auto Holding Center, 00 Genesee St., Proj. #4212. Disposition = Planning Committee**
- 110. Western New York Safety Conference, Inc. to Supervisor –
Request for proclamation honoring “Safety Week”: April 4 – April 7, 2016. Disposition = Resolution 3/7/16**
- 111. Park Crew Chief to Supervisor and Town Board –
Request for resolution for the purchase of a 2016 Ford F-350 4X4 one ton Pickup Truck from Van Bortel For, 71 Marsh Road, East Rochester, NY. Disposition = Resolution 3/7/16**
- 112. Park Crew Chief to Supervisor and Town Board –
Request for resolution for the purchase of a prefabricated 12’ X 24’ traditional dog kennel containing kennels for 4 dogs from Horizon Structures, LLC, 5075 Lower Valley Road, Atglen, PA 19310. Disposition = Resolution 3/7/16**
- 113. Park Crew Chief to Supervisor and Town Board –
Request for resolution for the purchase of one Jabobsen Tier 4 R311T Lawnmower from MTE Turf Equipment Solutions, 33 Thruway Park Drive, West Henrietta, NY 14586. Disposition = Resolution 3/7/16**
- 114. Highway Superintendent to Town Board –
Request for resolution to purchase one new and unused 2016 T750 T4 Bobcat Track Loader from Bobcat of Buffalo, 6511 South Transit Road, Lockport, NY 14094. Disposition = Resolution 3/7/16**

115. Commissioner Erie County Dept. of Environment & Planning to Supervisor –
Negative declarations regarding proposed existing Out of District Customer Extensions to Erie County Sewer District No.'s 1, 2, 3, 4, & 5.
Disposition = Planning Committee
116. Planning Board Chairman to Town Clerk –
Agenda for March 2, 2016 Planning Board Meeting.
Disposition = Planning Committee
117. Park Crew Chief to Supervisor and Town Board –
Request for resolution to appoint one individual to the position of laborer part-time permanent in the Parks, Recreation & Forestry Department.
Disposition = Resolution 3/7/16
118. Lancaster Rural Cemetery to Supervisor and Town Board –
Thank you for support and request for Town's assistance to maintain Lancaster Rural Cemetery. Disposition = Resolution 3/7/16
119. Anthony D'Amore to Supervisor –
Letter of resignation/retirement from the Town of Lancaster Drug Abuse Prevention Council effective February 25, 2016. Disposition = Received & Filed
120. Town of Evans to Supervisor –
Copy of resolution supporting the termination of the current 1977 Sales Tax Revenue Distribution Agreement and the creation of a new formula for sales tax revenue distribution. Disposition = Received & Filed
121. Building Inspector to Town Clerk –
Approval of issuance of Game Room License for Regal 16 Cinemas, 6707 Transit Road. Disposition = Resolution 3/7/16
122. Lancaster Town Band, Inc. to Supervisor –
Request for use of Richard Pascucci Memorial Band Shell for summer concert series during June, July and August 2016. Disposition = Received & Filed
123. Police Captain Marco Laurienzo to Town Clerk –
No objection to the issuance of a Game Room License to Regal 16 Cinemas, 6707 Transit Road. Disposition = Resolution 3/7/16
124. Mary Bartz, Lancaster Senior Center to Supervisor –
Request for Donna Heist to be hired to fill the position available at the Lancaster Senior Center. Disposition = Resolution 3/7/16
125. Supervisor to Town Board –
Recommend Cindy Stypa to fill the vacancy for a Clerk Typist in the Supervisor's Office effective March 14, 2016. Disposition = Resolution 3/7/16
126. Supervisor to Town Board –
Request for resolution authorizing the Town to enter into an agreement with Business Automation Services for the purchase of the Website Design Service as outlined in the proposal. Disposition = Resolution 3/7/16
127. Dog Control Officer to Town Board –
Monthly dog control report for February 2016. Disposition = Received & Filed
128. Dan Lambe, President Arbor Day Foundation to Supervisor –
Congratulations to the Town of Lancaster on earning recognition as a 2015 Tree City USA. Disposition = Received & Filed
129. Frank Maddock to Town Board –
Copy of letter to Rod Watson, The Buffalo News regarding his commentary dated February 25, 2016. Dispositon = Received & Filed

130. **Mary Bartz, Lancaster Senior Center to Supervisor –**
Request for Mary Beth Gianni to be hired to fill the position available in the Nutrition Department at the Lancaster Senior Center.
Disposition = Resolution 3/7/16
131. **Highway Superintendent to Town Board –**
Request for resolution to purchase one new and unused 2016 T750 T4 Bobcat Track Loader from Bobcat of Buffalo, 6511 Transit Road, Lockport, NY.
Disposition = Resolution 3/7/16
132. **Park Crew Chief to Planning Board Member and Council Members –**
No issues with Application for Site Plan for JAGG Electrical and Controls, Lancaster Parkway, Proj. #1608. Disposition = Planning Committee
133. **Town Clerk to Town Board –**
Monthly report for February 2016. Disposition = Received & Filed
134. **Town Attorney to NYSDEC, Erie County DPW, Erie County Health Department, Div. of Sewerage Management, NYSDOT and Erie County DEP –**
Request for designation of lead agency for application of rezone at 0 Broadway from General Business (GB) & Agricultural Residential (A-R) to Multi-family Residential District four (MFR-4). Disposition = Planning Committee
135. **Highway Superintendent to Town Board –**
Change order on Highway Building for the doors and for the water line.
Disposition = Resolution 3/7/16
136. **Time Warner Cable to Town Clerk –**
Update on developments affecting Time Warner Cable subscribers in the Western New York Division. Disposition = Received & Filed
137. **Town Clerk to Town Engineer and Building Inspector –**
Transmittal of request for amendment for Dumping Permit for PM Peppermint, Inc., 31 Peppermint Road. Disposition = Received & Filed
138. **Police Chief to Town Board –**
Request for appointment of Patrol Officer William Gummo to fill the existing Lieutenant vacancy created by the retirement of Lieutenant Mitchel Converse.
Disposition = Resolution 3/7/16
139. **Town Justice Colby to Town Clerk –**
Appointment of Anthony Guarino to the position of Court Clerk effective March 15, 2016. Disposition = Payroll Clerk
140. **Town Clerk to Town Board –**
Copy of first settlement payment for 2016 Monthly County Settlement.
Disposition = Received & Filed
141. **Police Chief to Town Clerk –**
Articles and communications. Disposition = Received & Filed

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER WALTER AND CARRIED,** the meeting was adjourned in memory
of Catherine Lubera at 8:49 P.M.

Signed_____

Diane M. Terranova, Town Clerk